

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: Education Committee

---

BILL: CS/SB 1260

SPONSOR: Education Committee and Senator Wise

SUBJECT: University Growth Funding

DATE: April 26, 2005

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Woodruff	O'Farrell	ED	<b>Fav/CS</b>
2.	_____	_____	CM	_____
3.	_____	_____	EA	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

---

## I. Summary:

The Committee Substitute contains legislation on four issues. Beginning with the 2006-07 fiscal year, the CS establishes the SUCCEED, Florida – Crucial Professionals Program. The program is designed to award funds appropriated by the Legislature to accredited postsecondary institutions through competitive proposals. The goal is to expand postsecondary student enrollment in critical educational areas matching occupations on a legislatively adopted list of the state's most pressing workforce needs. The State Board of Education must review the proposals and award the funds. The Department of Education is to administer the program.

The CS amends the date by which American Sign Language Teachers must be certified by the Department of Education. The date is changed from January 1, 2008 to require certification by July 1, 2009. A requirement to have certification from the Florida American Sign Language Teachers Association is deleted.

The CS repeals the Jobs for Florida's Graduates Act.

The CS authorizes the transfer and management of the endowment for the Appleton Museum of Art to the Central Florida Community College Foundation.

This CS creates section 1011.96, amends section 1007.2615, and repeals section 446.609 of the Florida Statutes.

## II. Present Situation:

### **Current Programs Which Target Students to Fill Needs**

On occasion, the Legislature has targeted funds to a particular occupation in order to encourage student interest in a career field or in a particular student behavior. In general, the Legislature has chosen to do this through financial rewards such as scholarships, loans, loan forgiveness, or tuition reimbursement programs. Among these programs are:

The Bright Futures Scholarship Program which was designed to encourage the best and brightest of Florida's high school graduates to remain in Florida for their postsecondary education. The Bright Futures does not restrict a student's choice of institution or the degree program to pursue.

The Critical Teacher Shortage Program in section 1009.54, F.S., creates the Florida Teacher Scholarship and Forgivable Loan Program. The program has several parts. The purpose of the "Chappie" James Most Promising Teacher program is to attract capable and promising students to the teaching profession and target top high school graduates. A second part of the program is the Florida Critical Teacher Shortage Forgivable Loan Program. A student may receive a loan from the state to help pay for the student's tuition in an educational field that has been designated as a critical need by the state. In exchange for the loan, the student signs an agreement to teach in the public schools of the state for a number of years equal to the number of years the student received the loan. A third part of the program is the critical teacher shortage tuition reimbursement program. Current teachers who are willing to return to college to become certified in a critical teacher shortage area may be reimbursed for the cost of their tuition in courses related to a critical teacher shortage area. A fourth part of the program is the Critical Teacher Shortage Student Loan Forgiveness Program. The program targets qualified applicants who begin teaching in an area of critical concern and who have incurred student loans to make it through college. The state will make loan payments in specified amounts for such teachers. All of these programs are subject to appropriation of funds by the Legislature. According to the Department of Education, for the past several years the level of appropriation has been static at \$1.7 million. This represents about 20 percent of the level of funding needed to fully fund the programs.

The state has also established a scholarship program to attract minorities into the teaching profession. A student may receive a scholarship for up to three years. If the student does not teach in a public school in Florida for the number of years equal to the years receiving a scholarship, then the student must repay the funds received.

The state has also created other smaller programs to encourage teachers to enhance their knowledge in certain subject areas and to become certified in exceptional student education.

In addition to the teacher shortage area program, the state has established a program for occupational therapist and physical therapist or occupational therapist assistants and physical therapist assistants who are employed by the public schools of the state. Again, the state has created scholarship and loan programs as well as loan forgiveness programs.

Other programs established by the state include the Certified Education Paraprofessional Welfare Transition Program to provide education and employment for recipients of public assistance who

are certified to work in public schools, the Medical Education Reimbursement and Loan Repayment Program for medical or nursing personnel who practice in underserved locations, the Nursing Student Loan Forgiveness Program, the Nursing Scholarship Program, the Florida Minority Medical Education Program, and the Virgil Hawkins Fellows Assistance Program.

The focus of all of these programs is on recruiting or rewarding individual students who will work in career fields or locations in which the state has had difficulty in finding a sufficient number of qualified employees.

### **The Targeted Occupations List**

The Workforce Estimating Conference, section 216.136(9), F. S., is charged with establishing the targeted occupations list, not the chair of Workforce Florida.

### **State University System Strategic Plan**

The Board of Governors is currently going through a process to create a new State University System Strategic Plan. The Board's Strategic Plan appears to target the efforts of the university system toward meeting the state's needs in areas related to education, health care, emerging technologies, and economic development.

Some broad-based degrees (such as all AA degrees and bachelor's degrees in areas such as math, chemistry or biology) may not be linked to specific occupations, but may form the basis for enrollment in degree programs which are critical to economic development in the state.

### **Section 2. American Sign Language**

Teachers of American Sign Language must currently be certified by the Department of Education by January 1, 2008. The teachers must also obtain current certification through the Florida American Sign Language Teacher's Association (FASLTA) by January 1, 2006. New certification by FASLTA may be used by current ASL teachers as an alternative certification track.

### **Section 3. Jobs for Florida's Graduates**

The Jobs for Florida's Graduates Act was created by the Legislature in 1998. It is a school-to-work program and originally targeted the goal of having 300 high schools participate in the program. The law provided legislative intent, a definition of the program, it also created an endowment foundation for the program, created a board of directors to administer the program and described the board's organization, powers and duties. The law also required an annual audit, an assessment of the program's results, and an annual report summarizing program activities.

### **Section 4. Endowment for the Appleton Museum of Art**

At the current time, the Appleton Cultural Center, Inc., holds the endowment for the Appleton Museum of Art.

### III. Effect of Proposed Changes:

#### **Change in Emphasis for Encouraging Student Interest in Targeted Occupations**

The CS proposes a different approach for the Legislature in meeting the state's most pressing workforce needs. Instead of the state trying to entice individual students to enter certain targeted occupations, the CS would encourage accredited postsecondary institutions to recruit students into specific programs. Beginning with the 2006-2007 fiscal year, the Legislature would appropriate funds for the Succeed, Florida - Crucial Professionals Program to the Department of Education to administer. The department would solicit competitive requests for proposals from accredited postsecondary institutions to deliver a specific number of graduates in career fields identified on a priority list adopted by the Legislature. The State Board of Education would evaluate the proposals and make the determination of which proposals would be funded. Programs and proposals may target occupations from the most pressing need list which require a diploma, certificate, or degree for entry.

Criteria for a proposal must indicate the number of students to be served, length of the program and cost to the student and the state. Funding must not supplant either existing funding at the institution to support the program or the number of students presently attending the program. Funds must be used to increase enrollment and to deliver more graduates in a specified field from the adopted priority list. The proposal is to be evaluated on whether the institution meets its contracted number of graduates in the specified field within the time period established in the contract.

The CS requires the chair of Workforce Florida to annually tell the Legislature of the state's most pressing workforce needs and the locations of those needs. It is unclear whether the chair of Workforce Florida, Inc., will be advising the Legislature based on information adopted by the Workforce Estimating Conference, whether the CS proposes to change existing statute to have the chair adopt the list, or if the chair may submit an independent list of the most pressing jobs in the state.

After the first year, in making decisions on the renewal of grants, the State Board is to give priority to programs which are making adequate progress towards meeting the conditions of their contracts.

**Section 2.** The date by which American Sign Language Teachers must be certified by the Department of Education is changed from January 1, 2008 to July 1, 2009. A requirement to have certification from the Florida American Sign Language Teachers Association is deleted.

**Section 3.** Section 446.609 of the Florida Statutes relating to the Jobs for Florida's Graduates Program is repealed.

**Section 4.** The Central Florida Community College Foundation is authorized to accept and manage the endowment for the Appleton Museum of Art.

The effective date of the CS is July 1, 2005.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. Other Constitutional Issues:**

*Board of Governors; Art. IX, Section 7 of the State Constitution*

Article IX, Section 7 of the State Constitution provides that the Board of Governors shall operate, regulate, control, and be fully responsible for the management of the whole university system. The courts have not interpreted this provision with respect to the extent of the powers and duties of the Board of Governors. A lawsuit was filed on December 21, 2004, against the Board of Governors and the State Board of Education seeking a declaratory action, among other things, regarding the Board of Governor's powers and duties with respect to the state university system. The results of this lawsuit may have an impact on the constitutionality of the CS.

**V. Economic Impact and Fiscal Note:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

Florida businesses in need of employees on the most pressing workforce needs priority list may find it easier to fill job openings.

Students graduating from programs which are on the most pressing workforce needs list should find employment in well paying jobs in Florida.

Students desiring to major in a program which is on the most pressing workforce needs list may find postsecondary institutions competing to get them to enroll in programs which were chosen to have their request for proposal funded.

Students may have to be better prepared for college which may mean making the high school curriculum more rigorous and relevant to career education. Students will probably need additional and higher level math and science courses in order to be admitted to many of the technical programs on a targeted workforce list.

**C. Government Sector Impact:**

The CS may have a significant, but indeterminate, positive fiscal impact on the state's budget and economy. There may be a redirection in enrollment from liberal arts programs to programs of a more technical nature.

Because the Florida Constitution requires the state to adopt a balanced budget, for each appropriation cycle there is a finite amount of revenue available for the Legislature to spend. As with any new program, a decision to fund the SUCCEED, Florida - Crucial Professionals Program will require the Legislature to place a higher priority on expending funds for the Program than it will place on other programs.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

Subsection 1011.96(5), F.S., created by the CS indicates that the Workforce Florida chair will advise the Legislature of workforce needs; paragraph 1011.96(4)(d), F.S., would indicate a proposal is to be made by an accredited institution that provides instruction in a field specified in the priority list adopted by the Legislature. It is not clear who would create a crosswalk between the state's needs and the programs that could meet those needs. Without that crosswalk, there could be a wide variation in institutional interpretation of what programs would meet statewide needs. Likewise, there are no criteria relating to the evaluation of the quality of an institution or program submitting a request for funding other than the institution must be accredited.

It is not clear whether students enrolled in a broad-based degree program such as an AA degree or the lower level of a baccalaureate degree would be eligible for participation in the program or whether a degree program would target only the upper level coursework related a specific occupation or degree.

## **VIII. Summary of Amendments:**

None.

---

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

---